

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ken Gary Pomaranski, et al.

Confirmation No.:

Application No.: 10/764,165

Examiner:

Filing Date: Jan. 23, 2004

Group Art Unit:

Title: CLUSTER NODE STATUS DETECTION AND COMMUNICATION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- () under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97 (c) together with either a:
(X) Statement under 37 CFR 1.97(e), or
() a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- () under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e)(1) or (2), and
() a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

() A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: May 20, 2005
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() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____
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Typed Name: James K. Okamoto

Signature: James K. Okamoto

Respectfully submitted,

Ken Gary Pomaranski, et al.

By James K. Okamoto

James K. Okamoto

Attorney/Agent for Applicant(s)

Reg. No. 40,110

Date: May 20, 2005

Telephone No.: (408) 436-2110



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

| | |
|------------------------|---------------------|
| Application Number | 10/764,165 |
| Filing Date | January 23, 2004 |
| First Named Inventor | Ken Gary Pomaranski |
| Art Unit | unknown |
| Examiner Name | unknown |
| Attorney Docket Number | 200312918-1 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| | | Number - Kind Code ² (if known) | | | |
| | 1C | US- 6,272,648 | Aug. 7, 2001 | Findlay, et al. | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|-----------------------|--------------------------|---|-----------------------------------|---|---|----------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | 1D | EP 1 416 695 | May 6, 2004 | Siemens Aktiengesellschaft | | |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2 of 2

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| First Named Inventor | Ken Gary Pomaranski |
| Art Unit | unknown |
| Examiner Name | unknown |
| Attorney Docket Number | 200312918-1 |

NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|------------------------|--------------------------|---|----------------|
| | 1E | Patents Act 1977: Search Report under Section 17 for Application No. GB 0501117-6 | |
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